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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

C. BROOKS CUTTER,

Plaintiff,

v.

FOOD AND DRUG ADMINISTRATION
and DEPARTMENT OF HEALTH AND
HUMAN SERVICES,

Defendants.

No. 1:09-cv-00107-LJO-DLB

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

C. BROOKS CUTTER, plaintiff, and the FOOD AND DRUG ADMINISTRATION and the DEPARTMENT OF HEALTH AND HUMAN SERVICES, defendants, through their undersigned counsel of record, pursuant to Fed. R. Civ. P. 41(a)(2), hereby stipulate, subject to the approval of the Court as provided for hereon, that the entire action hereby is DISMISSED WITH PREJUDICE, each side to bear its own costs and attorney's fees.

ORDER

Based on the parties' stipulation, this Court DISMISSES this action with prejudice and DIRECTS the clerk to close this action.

IT IS SO ORDERED.

Dated: October 25, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE